

### REMARKS

Claims 1-28 are pending in the application. In the Office Action of February 5, 2003, the Examiner made the following disposition:

- A.) Objected to the Abstract of the Disclosure.
- B.) Objected to claims 7, 8, 9 and 21 for informalities.
- C.) Rejected claims 6, 7-11, 13 and 17 under 35 U.S.C. §112, second paragraph.
- D.) Rejected claims 1-5, 11-18 and 24-28 under 35 U.S.C. §103(a) as being unpatentable over *Bianco et al.* in view of *Marckini*.
- E.) Rejected claims 6-10 and 19-23 under 35 U.S.C. §103(a) as being unpatentable over *Bianco et al.* in view of *Marckini* and further in view of *Ohtsuki et al.*

Applicant respectfully traverses the 35 U.S.C. §103 rejections and addresses the Examiner's disposition as follows:

A.) Objection to the Abstract of the Disclosure:

The Abstract of the Disclosure has been amended as per the Examiner's request to overcome the objection. Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"VERSION WITH MARKING TO SHOW CHANGES MADE."**

Applicant respectfully submits the objection has been overcome and requests that it be withdrawn.

B.) Objection to claims 7, 8, 9 and 21 for informalities:

Claims 7, 8, 9 and 21 have been amended as per the Examiner's request to overcome the objection. Claims 1-28 have been amended to correct informalities.

Applicant respectfully submits the objection has been overcome and requests that it be withdrawn.

C.) Rejection of claims 6, 7-11, 13 and 17 under 35 U.S.C. §112, second paragraph:

Claims 6, 7-11, 13 and 17 have been amended as per the Examiner's request to overcome the rejection.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

D.) Rejection of claims 1-5, 11-18 and 24-28 under 35 U.S.C. §103(a) as being unpatentable over *Bianco et al.* in view of *Marckini*:

Applicant respectfully disagrees with the rejection.

Applicant's independent claims 1, 14, 25, 26, 27 and 28, each as amended, each claim an electronic person authentication certificate that is issued by a person authentication authority. The person authentication certificate stores a template and at least one of a certificate expiration date and a certificate usage number limit. An illustrative example of a person authentication certificate is shown in Applicant's Figure 5. During person authentication, user inputted sampling information is validated against the template that is stored in the person authentication certificate.

This is clearly unlike *Bianco et al.* in view of *Marckini*. *Bianco et al.* discloses methods and systems for validating a user based on the user's biometric information. A biometric server 104 stores at least one template 502 for each possible user of the system. Each template 502 contains a particular type of biometric data for the user, such as the user's fingerprints. When a user logs on, the server retrieves one of the user's templates from storage, and compares the template's biometric data to "live" data that is inputted by the user during log on. For example, the user submits a current fingerprint sample at log on, which sample is compared to the retrieved template's fingerprint data.

Unlike Applicant's independent claims, *Bianco et al.* fails to disclose or even suggest a person authentication certificate. As described above, Applicant's claimed person authentication certificate includes a template, as well as other information, including a certificate expiration date and/or a certificate usage number limit. This is unlike *Bianco et al.*, which merely retrieves a template from storage. *Bianco et al.*'s retrieved template is not stored in a certificate.

Further, *Bianco et al.*'s template could not disclose or suggest Applicant's person authentication certificate, since *Bianco et al.*'s template merely contains biometric data. Nowhere does *Bianco et al.* disclose or suggest that its template stores anything but biometric data. *Bianco et al.*'s template is not a person authentication certificate that stores a template and other information, as claimed by Applicant. Instead, *Bianco et al.*'s template only a template and does not store other information.

The Examiner states that *Bianco et al.*'s template is stored in a person authentication certificate, however, the Examiner fails to identify *Bianco et al.*'s person authentication certificate. Applicant respectfully submits that *Bianco et al.* does not disclose or suggest a person authentication certificate. Instead, *Bianco et al.* merely discloses retrieving a template from

storage and then validating a user based on the retrieved template.

*Marckini* also fails to disclose or suggest Applicant's claimed person authentication certificate. *Marckini* discloses a card-shaped identification card that has identification information recorded thereon. The card is carried by a user and presented by the user for identification purposes. Therefore, *Marckini's* identification card is unlike Applicant's claimed person authentication certificate, which is an electronic certificate issued for a user. *Marckini's* card is neither electronic nor a certificate.

Therefore, *Bianco et al.* in view of *Marckini* still fails to disclose or suggest Applicant's claimed person authentication certificate. Accordingly, *Bianco et al.* in view of *Marckini* fails to disclose or suggest Applicant's claims 1, 14, 25, 25, 27 and 28.

Claims 2-5, 11-13, 15-18 and 24 depend directly or indirectly from claims 1 or 14 and are therefore allowable for at least the same reasons that claims 1 and 14 are allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

E.) Rejection of claims 6-10 and 19-23 under 35 U.S.C. §103(a) as being unpatentable over *Bianco et al.* in view of *Marckini* and further in view of *Ohtsuki et al.*:

Applicant respectfully disagrees with the rejection.

Applicant's independent claims 1 and 14 are allowable over *Bianco et al.* in view of *Marckini* as discussed above. *Ohtsuki et al.* still fails to disclose or suggest Applicant's claimed person authentication certificate. Therefore, *Bianco et al.* in view of *Marckini*, and further in view of *Ohtsuki et al.* still fails to disclose or suggest claims 1 and 14.

Claims 6-10 and 19-23 depend directly or indirectly from claims 1 or 14 and are therefore allowable for at least the same reasons that claims 1 and 14 are allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-28 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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## **VERSION WITH MARKINGS TO SHOW CHANGES MADE**

### **In the Specification:**

Please replace the Abstract of the Disclosure with the following replacement Abstract of the Disclosure:

--A person authentication system, a person authentication method, an information processing apparatus, and a program providing medium [according to the present invention are provided to] authenticate a person who uses an information apparatus in data communication.

[       ]A person authentication certificate storing a template which includes person authentication data is used in the person authentication system. A person authentication execution entity checks the validity of the certificate on the basis of a certificate expiration date, a certificate usage number limit, or a template expiration date in person authentication processing on the basis of the certificate. The person authentication is executed by comparing the template with sampling information input by a user if the validity is confirmed. A person identification certificate authority updates the certificate or the template according to the request of the entity or the authenticated person.--